

Approved: _____ Mayor

Veto: _____

Override: _____

RESOLUTION NO. Z-15-06

WHEREAS, JV INVESTMENTS AT THREE M, LLC F/K/A THREE M DEVELOPMENT, INC. applied to Community Zoning Appeals Board 14 for the following:

AU to RU-1

SUBJECT PROPERTY: The north ½ of the west ½ of the SE ¼ of the NW ¼ of the NE ¼ in Section 14, Township 57 South, Range 38 East.

LOCATION: Approximately 667' south of S.W. 312 Street, east of theoretical S.W. 190 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of Community Zoning Appeals Board 14 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions which among other things provided:

1.) Lot Layout

A Cul-de-sac shall not be permitted in the layout of the residential lots on the subject property.

2.) Density

That the development of the Property shall be limited to a maximum of six (6) units.

3.) Uses

Accessory or principal uses not permitted in the RU-1 zone shall be prohibited.

WHEREAS, upon due and proper consideration having been given to the matter it was the opinion of Community Zoning Appeals Board 14 that a district boundary change to EU-M in lieu of the requested district boundary change to RU-1 would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved and that

the proffered Declaration of Restrictions should be accepted and said application was approved by Resolution No. CZAB14-3-06, and

WHEREAS, THE DIRECTOR OF THE DEPARTMENT OF PLANNING & ZONING appealed the decision of Community Zoning Appeals Board 14 to the Board of County Commissioners for the following:

AU to RU-1 or in the alternative, EU-M

The purpose of this appeal is to allow this board either to approve the application or to remand the application with leave to amend in order to also advertise the EU-M (Single-Family Modified Estate district) as an alternative request to RU-1 (Single-Family Residential District).

SUBJECT PROPERTY: The north $\frac{1}{2}$ of the west $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ in Section 14, Township 57 South, Range 38 East.

LOCATION: Approximately 667' south of S.W. 312 Street, east of theoretical S.W. 190 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, after reviewing the record and decision of the Metropolitan Dade County Zoning Appeals Board 14 and after having given an opportunity for interested parties to be heard, it was the opinion of the Board of County Commissioners, Miami-Dade County, Florida, that that the grounds and reasons given by The Director of The Department of Planning & Zoning specified in the appeal were sufficient for the Board to vacate Community Zoning Appeal Board 14's decision in Resolution No CZAB14-3-06, and that the requested district boundary change to EU-M would be compatible with the neighborhood and area concerned and would not be in conflict with the

principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and

WHEREAS, a motion to grant the appeal, vacate Resolution CZAB14-3-06, and approve the application was offered by Commissioner Katy Sorenson, seconded by Commissioner Barbara J. Jordan, and upon a poll of the members present the vote was as follows:

Bruno A. Barreiro	absent	Dennis C. Moss	absent
Jose "Pepe" Diaz	aye	Dorrin D. Rolle	aye
Audrey M. Edmonson	absent	Natacha Seijas	aye
Carlos A. Gimenez	aye	Katy Sorenson	aye
Sally A. Heyman	aye	Rebecca Sosa	aye
Barbara J. Jordan	aye	Sen. Javier D. Souto	aye

Chairperson Joe A. Martinez aye

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that the appeal be and the same is hereby approved and that the decision of Community Zoning Appeals Board 14 in resolution CZAB14-3-06 is hereby vacated.

BE IT FURTHER RESOLVED that the requested district boundary change to EU-M be and the same is hereby approved and said property is hereby zoned accordingly

BE IT FURTHER RESOLVED that Resolution No.CZAB14-3-06 is hereby null and void.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning

THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED this 24th day of April, 2006, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

No. 06-1-CZ14-2

ej

HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida

By **KAY SULLIVAN**
Deputy Clerk

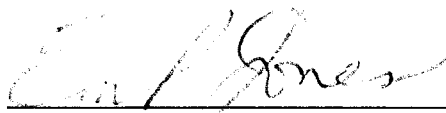
THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 11TH DAY OF MAY, 2006.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

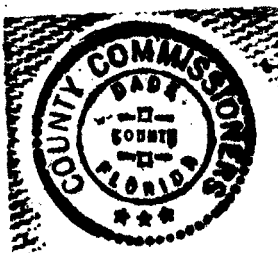
I, Deputy Clerk's Name, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-15-06 adopted by said Board of County Commissioners at its meeting held on the day of April 27, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 11th day of May, 2006.



Earl Jones, Deputy Clerk (4149)
Miami-Dade County Department of Planning and Zoning

SEAL





Department of Planning and Zoning

Stephen P. Clark Center
111 NW 1st Street • Suite 1210
Miami, Florida 33128-1902
T 305-375-2800

miamidade.gov

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Park and Recreation
Planning and Zoning
Police
Procurement Management
Property Appraisal
Public Library System
Public Works
Safe Neighborhood Parks
Seaport
Solid Waste Management
Strategic Business Management
Team Metro
Transit
Task Force on Urban Economic Revitalization
Vizcaya Museum And Gardens
Water & Sewer

May 11, 2006

JV Investments At Three M, LLC
F/K/A Three M Development, Inc.
c/o Diane O'Quinn Williams,
Director of Planning & Zoning
111 NW 1st Street, 11th Floor
Miami, Florida 33128

Re: Hearing No. 06-1-CZ14-2
Location: Approximately 667' south of S.W. 312 Street, east of
theoretical S.W. 190 Avenue, Miami-Dade County, Florida

Dear Appellant:

Enclosed herewith is Resolution No. Z-15-06, adopted by the Board of County Commissioners, which **granted your appeal to vacate the decision of Community Zoning Appeals Board 14, and approved the applicant's request for a district boundary change to EU-M** on the above described property.

The Board's decision may be appealed by an aggrieved party to Circuit Court within 30 days of the date of transmittal of the resolution to the Clerk of the County Commission. The transmittal date is **May 11, 2006**. In the event an appeal is filed, any building permit sought shall be at the risk of the party seeking said permit. Copies of any court filings concerning this matter should be served upon both my office and:

Murray A. Greenberg, County Attorney
111 N.W. 1st Street, Suite 2810
Miami, Florida 33128-1993

The County Attorney is not permitted to accept official service of process.

Sincerely,

Earl Jones
Deputy Clerk

Enclosure